

UNITED STATES BANKRUPTCY COURT
District of New Jersey

IN RE: William K. Stanley
Ella D. Stanley

Case No.: 17-23648

Judge: ABA

Debtor(s)

Chapter: 13

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☒ Motions Included

☒ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: 8/03/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay 100.00 Monthly to the Chapter 13 Trustee, starting on 8/01/2017 for approximately 36 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒ Future Earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property
Description:
Proposed date for completion: _____
- ☐ Refinance of real property
Description:
Proposed date for completion: _____
- ☒ Loan modification with respect to mortgage encumbering property
Description: 644 Cresson Avenue, Pleasantville, New Jersey 08232
Proposed date for completion: 10/01/2017

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

- a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ 1,245.00 to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to Ditech (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Robert A. Loefflad NJ Bar ID# 024791996	Attorney Fees	1,700.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Ally Financial	2013 Chevrolet Malibut 42000 miles	1,225.37	0.00	1,225.37	0.00
Pleasantville City Sewage	644 Cresson Avenue Pleasantville, NJ 08232 Atlantic County	255.02	0.00	255.02	0.00

b. Modification

- 1.) The Debtor values collateral as indicated below. If the claim may be modified under Section

1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
Select Portfolio Servicing	Principal Residence	\$42,769.00	\$90,000.00	\$178,789.24	0.00		0.00
NJ Housing & Mortgage	Principal Residence	\$42,769.00	\$90,000.00	\$178,789.24	0.00		0.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan

Part 5: Unsecured Claims

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

Not less than \$___ to be distributed *pro rata*

 x Not less than 0 percent

 Pro Rata distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
Select Portfolio Servicing, Inc.	644 Cresson Avenue Pleasantville, NJ 08232	100%
New Jersey Housing and Mortgage Finance Agency	644 Cresson Avenue Pleasantville, NJ 08232	100%

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-			

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
Motion to strip off 2nd and 3rd mortgages was originally listed under paragraph 7(a) rather than paragraph 7(b)	Modified paragraph 7(a) and 7(b) to properly disclose motion to reclassify 2nd and 3rd mortgages from secured to completely unsecured

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date August 3, 2017 /s/ Robert A. Loefflad NJ Bar ID#
Robert A. Loefflad NJ Bar ID# 024791996
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: August 3, 2017 /s/ William K. Stanley
William K. Stanley
Debtor

Date: August 3, 2017 /s/ Ella D. Stanley
Ella D. Stanley
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 William K Stanley
 Ella D. Stanley
 Debtors

Case No. 17-23648-ABA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 54

Date Rcvd: Aug 04, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 06, 2017.

db/jdb
 cr +William K Stanley, Ella D. Stanley, 644 Cresson Avenue, Pleasantville, NJ 08232-4312
 +Wilmington Savings Fund Society, FSB, Robertson, Anschutz & Schneid, P.L.,
 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
 516961284 +ACAR Leasing LTD, PO Box 183853, Arlington, TX 76096-3853
 516920034 APG Bariatrics, c/o Atlanticare Physician Group, PO Box 786061,
 Philadelphia, PA 19178-6061
 516920039 +AVEE LABORATORIES, PO BOX 654088, DALLAS TX 75265-4088
 (address filed with court: Avee Laboratories, Inc., PO Box 123132, Dept. 3132,
 Dallas, TX 75312-3132)
 516920031 +Alltran Financial, LP, PO Box 610, Sauk Rapids, MN 56379-0610
 516920035 +Asset Maximization Group, Inc., PO Box 190191, South Richmond Hill, NY 11419-0191
 516920037 +Atlantic County Animal Shelter, 240 Old Turnpike Road, Pleasantville, NJ 08232-2545
 516920038 Atlantic Gastroenterology Associates, 3205 Fire Road, Egg Harbor Township, NJ 08234-5884
 516920040 Capital One Bank, Post Office Box 30285, Salt Lake City, UT 84130-0285
 516920043 +City of Pleasantville, PO Box 1016, Voorhees, NJ 08043-7016
 516920044 +Client Services, 3451 Harry S. Truman Boulevard, Saint Charles, MO 63301-9816
 516920046 Comenity Bank, Bankruptcy Department, PO Box 182125, Columbus, OH 43218-2125
 516920048 #+Convergent Outsourcing, Inc., 10750 Hammerly Boulevard, #200, Houston, TX 77043-2317
 516920050 +Curexa Pharmacy, 3007 Ocean Heights Avenue, Egg Harbor Township, NJ 08234-7749
 516920051 +David A. Faloni, Esquire, Law Offices of Faloni & Associates, LLC, PO Box 1285,
 Caldwell, NJ 07007-1285
 516920054 +Enhanced Recovery Company, PO Box 57547, Jacksonville, FL 32241-7547
 516920055 First Premier Bank, Post Office Box 5519, Sioux Falls, SD 57117-5519
 516920058 GM Financial, PO Box 181145, Arlington, TX 76096-1145
 516920059 +GM Financial Leasing, PO Box 100, Williamsville, NY 14231-0100
 516920057 +Ginny's Inc., 1515 South 21st Street, Clinton, IA 52732-6676
 516920061 K. Jordan, PO Box 2809, Monroe, WI 53566-8009
 516920063 Masseys, Post Office Box 2822, Monroe, WI 53566-8022
 516920066 Midnight Velvet, 1112 7th Avenue, Monroe, WI 53566-1364
 516920067 Monroe and Main, 1112 7th Avenue, Monroe, WI 53566-1364
 516920069 New Jersey American Water, PO Box 371331, Pittsburgh, PA 15250-7331
 516920070 New Jersey Housing and Mortgage, Finance Agency, 637 S. Clinton Avenue, PO Box 18550,
 Trenton, NJ 08650-2085
 516920072 +Pleasantville City Sewage, 18 N. First Street, Pleasantville, NJ 08232-2647
 516920073 Premier Bankcard, LLC, c/o Rushmore Service Center, PO Box 5508,
 Sioux Falls, SD 57117-5508
 516920074 +Select Portfolio Servicing, Inc., Attn: Bankruptcy Department, PO Box 65250,
 Salt Lake City, UT 84165-0250
 516920075 +South Jersey Gas Company, PO Box 577, Hammonton, NJ 08037-0577
 516920076 +Swiss Colony/Montgomery, 1515 South 21st Street, Clinton, IA 52732-6676
 516920077 +Synergy Medical Laboratories, c/o Laboratory Billing Solutions,
 195 New Hampshire Avenue, Suite 150, Portsmouth, NH 03801-7836
 516920078 +The Danbury Mint, 47 Richards Avenue, Norwalk, CT 06857-0001
 516920079 The L Card by Lendup, Customer Service, PO Box 31535, Tampa, FL 33631-3535

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Aug 04 2017 22:56:21 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreign03.ne.ecf@usdoj.gov Aug 04 2017 22:56:16 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235

lm E-mail/Text: bankruptcy.bnc@ditech.com Aug 04 2017 22:55:59 Ditech, PO Box 6154,
 Rapid City, SD 57709-6154

516969129 E-mail/Text: ally@ebn.phinsolutions.com Aug 04 2017 22:55:00 Ally Financial,
 PO Box 130424, Roseville MN 55113-0004

516920032 +E-mail/Text: ally@ebn.phinsolutions.com Aug 04 2017 22:55:00 Ally Financial,
 Post Office Box 380901, Minneapolis, MN 55438-0901

516947636 +E-mail/Text: csc.bankruptcy@amwater.com Aug 04 2017 22:57:11 American Water, PO Box 578,
 Alton, IL 62002-0578

516920036 E-mail/Text: bankruptcy@pepcoholdings.com Aug 04 2017 22:55:58
 Atlantic City Electric Company, Pepco Holdings, Inc.,
 Bankruptcy Division, Mail Stop 84CP42, 5 Collins Drive, Suite 2133,
 Carneys Point, NJ 08069-3600

516920042 +E-mail/Text: bkr@cardworks.com Aug 04 2017 22:54:58 Carson Smithfield, PO Box 9216,
 Old Bethpage, NY 11804-9016

516920045 +E-mail/Text: ned-collections_bankruptcydocuments@comcast.com Aug 04 2017 22:56:51 Comcast,
 1701 JFK Boulevard, Philadelphia, PA 19103-2899

516920049 E-mail/PDF: creditonebknofifications@resurgent.com Aug 04 2017 22:51:39 Credit One Bank,
 PO Box 98873, Las Vegas, NV 89193-8873

516920052 E-mail/Text: Bankruptcy.Consumer@dish.com Aug 04 2017 22:56:14 Dish Network,
 Post Office Box 94063, Palatine, IL 60094-4063

516920053 +E-mail/Text: bankruptcy.bnc@ditech.com Aug 04 2017 22:55:59 Ditech Financial, LLC,
 Ditech Bankruptcy Department, PO Box 6154, Rapid City, SD 57709-6154

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 54

Date Rcvd: Aug 04, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

516920060 E-mail/Text: JCAP_BNC_Notices@jcap.com Aug 04 2017 22:56:31 Jefferson Capital System,
16 McLeland Road, Saint Cloud, MN 56303
516920062 +E-mail/PDF: resurgentbknofications@resurgent.com Aug 04 2017 22:51:43 LVNV Funding, LLC,
PO Box 10497, Greenville, SC 29603-0497
516920064 E-mail/Text: bkr@cardworks.com Aug 04 2017 22:54:58 Merrick Bank, P.O. Box 9201,
Old Bethpage, NY 11804-9001
516920065 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 04 2017 22:56:15 Midland Funding, LLC,
PO Box 60578, Los Angeles, CA 90060-0578
516981021 E-mail/PDF: cbp@onemainfinancial.com Aug 04 2017 22:51:21 ONEMAIN, P.O. BOX 3251,
EVANSVILLE, IN 47731-3251
516920071 E-mail/PDF: cbp@onemainfinancial.com Aug 04 2017 22:51:36 OneMain Financial,
Bankruptcy Department, Post Office Box 6042, Sioux Falls, SD 57117-6042
516920080 +E-mail/Text: bnc-bluestem@quantum3group.com Aug 04 2017 22:56:54 Webbank/Fingerhut,
6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 19

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516920033* +Ally Financial, Post Office Box 380901, Minneapolis, MN 55438-0901
516920041* Capital One Bank, Post Office Box 30285, Salt Lake City, UT 84130-0285
516920047* Comenity Bank, Bankruptcy Department, PO Box 182125, Columbus, OH 43218-2125
516920056* First Premier Bank, Post Office Box 5519, Sioux Falls, SD 57117-5519
516920068* Monroe and Main, 1112 7th Avenue, Monroe, WI 53566-1364

TOTALS: 0, * 5, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 06, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 3, 2017 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK
AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES
2005-7 bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlson on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK
AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES
2005-7 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa ecfmil@standingtrustee.com, summarymail@standingtrustee.com
Justin Plean on behalf of Creditor Wilmington Savings Fund Society, FSB bkyecf@rasflaw.com,
bkyecf@rasflaw.com; ras@ecf.courtdrive.com
Robert A. Loefflad on behalf of Debtor William K Stanley rloefflad@ffhlaw.com, ghuie@ffhlaw.com
Robert A. Loefflad on behalf of Joint Debtor Ella D. Stanley rloefflad@ffhlaw.com,
ghuie@ffhlaw.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7